

FILED

APR 23 2014

Clerk, U.S. District Court
District Of Montana
Missoula

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

STEVEN MONROE, JR.,

Plaintiff,

vs.

RAVALLI COUNTY and SGT.
RUSSELL,

Defendants.

CV 13-283-M-DWM-JCL

ORDER

Plaintiff Steven Monroe, Jr., appearing pro se, brings this action under 42 U.S.C. § 1983 alleging his Federal Constitutional rights were violated when Sgt. Russell allegedly utilized excessive force while Monroe was incarcerated in the Ravalli County Detention Center. Magistrate Judge Jeremiah Lynch recommends Defendant Ravalli County be dismissed. (Doc. 14.)

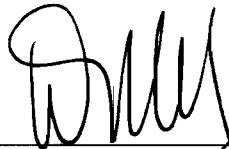
Monroe has not filed objections to Judge Lynch's Findings and Recommendation. The Court reviews the findings and recommendations that are not specifically objected to for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error

exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000). The Court finds no clear error with Judge Lynch’s determination that Monroe has failed to state a claim against Defendant Ravalli County. (See Doc. 4 (granting leave to amend after finding Monroe made no factual allegations against Ravalli County).)

Accordingly, IT IS ORDERED that the Findings and Recommendation (Doc. 14) are ADOPTED IN FULL.

IT IS FURTHER ORDERED that Defendant Ravalli County is DISMISSED.

Dated this 23rd day of April, 2014.



Donald W. Molloy, District Judge
United States District Court
